

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LUIS NUNO,

Plaintiff,

v.

TULARE COUNTY SHERIFF
DEPARTMENT, et al.,

Defendant.

Case No.: 1:22-cv-00647-BAK (BAM) (PC)

**ORDER DIRECTING PLAINTIFF TO
SUBMIT UPDATED INMATE TRUST
ACCOUNT STATEMENT**

30-DAY DEADLINE

Plaintiff is a pretrial detainee proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983.

Plaintiff filed a motion to proceed *in forma pauperis* (IFP) on May 31, 2022. (Doc. 2.) The certified section of the application for IFP is signed by an authorized officer of the Tulare County Sheriff's Department and dated November 18, 2021. (*Id.* at 2.) It reflects a balance of \$1.23. (*Id.*) Additionally, the attached "Inmate Banking Entry" form provides information for the period between May 9, 2021 and November 9, 2021, for Plaintiff's inmate account, reflecting a balance of 0.05 as of September 20, 2021, and an average monthly balance of 0.01. (*Id.* at 3.) It is signed by 'Kelly Rigby, Accountant II' and dated November 16, 2021. (*Id.*) Plaintiff's handwritten note on this page states, in relevant part: "I requested an updated printout of my banking entry and I was denied such." (*Id.*)

1 The Court cannot make a determination concerning Plaintiff's IFP application without
2 updated inmate trust account information. The information presently before the Court is outdated
3 and not relevant to Plaintiff's current status for purposes of an indigency determination. As a
4 result, Plaintiff will be directed to provide the Court with updated inmate trust account
5 documentation for the six-month period preceding the filing of his complaint, i.e., information for
6 the period between approximately December 1, 2021 and May 31, 2022.

7 Accordingly, **IT IS ORDERED** that Plaintiff submit updated inmate trust account
8 information to this Court within 30 days from the date of service of this order. **Plaintiff is**
9 **advised that a failure to obey court orders may result in a recommendation that this action**
10 **be dismissed.**

11 IT IS SO ORDERED.
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13 Dated: June 3, 2022

14 /s/ Barbara A. McAuliffe
15 UNITED STATES MAGISTRATE JUDGE
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